



South Florida Water Management District

MINUTES GOVERNING BOARD WORKSHOP

September 12, 2007

1:00 PM

District Headquarters - B-1 Auditorium

3301 Gun Club Road

West Palm Beach, FL 33406

Members Present:

Eric Buermann, Chair

Michael Collins

Charles Dauray

Shannon Estenoz

Nicolás Gutiérrez, Vice-Chair

Melissa Meeker

Patrick Rooney

Harkley Thornton

Malcolm Wade

1. Call to Order - Eric Buermann, Chairman

Chair Buermann called the meeting to order at 1:05 pm.

2. Pledge of Allegiance - Eric Buermann, Chairman

Chair Buermann led the group in the pledge of allegiance.

3. Approval of Minutes from the last month's Governing Board Meeting

Approval of Workshop Minutes for August 8, 2007, and Business Meeting Minutes for August 9, 2007, held in West Palm Beach.

Motion made by Harkley Thornton, seconded by Nicolás Gutiérrez to Approve the following item(s): 3

Vote called. Voting yes: Harkley Thornton, Nicolás Gutiérrez, Eric Buermann, Michael Collins, Charles Dauray, Shannon Estenoz, Melissa Meeker, Patrick Rooney, Malcolm Wade. Motion passed.

4. Agenda Addendum

Annette Carter, Director of Governing Board & Executive Services, read into the record the agenda addendum. Copies were made available to the public.

5. Abstentions by Board Members from items on the Workshop Agenda

There were no abstentions on the Workshop Agenda.

6. Pull Items from Consent for Discussion from Governing Board Meeting Agenda

There were no items pulled from the Consent Agenda to the Discussion Agenda.

Water Resources

7. FY2008 Alternative Water Supply Funding Program - Mark Elsner, Director, Implementation Division

Mark Elsner, Director, Implementation Division, presented the FY2008 alternative water supply funding program. Mr. Elsner explained the three year program and the amount of projects and the funding needed.

There were 79 proposals submitted with 72 being recommended for funding for a total of \$45.9M.

Mr. Elsner stated the Governing Board will be voting on the projects at the September meeting.

This item will be coming to the Governing Board for approval at tomorrow's Discussion Agenda.

8. Overview of Water Reuse in the District - Mark Elsner, Director, Implementation Division

Mr. Elsner stated Governor Crist has declared this week as Water Reuse Week. Purple distinguishes that it is a reuse facility.

Mr. Elsner presented information on Water Reuse projects and explained reclaimed water and its uses. Mr. Elsner explained the number of systems and the amount of water that is used as reclaimed water and highlighted several water reuse projects in the District jurisdiction.

Ms. Estenoz reported about the costs associated with connecting to the reuse systems.

Mr. Elsner provided additional information regarding the costs of connecting to the reuse system in Pompano.

Mr. Dauray reported that he attended a symposium in Tampa on water reuse and asked about metering facilities for reuse.

Mr. Elsner provided additional information regarding the history of reuse and how the metering began.

The Board complimented Mr. Elsner and the reuse program at the District.

Chair Buermann asked about working with the three counties who have the lowest percentages on reuse.

There was discussion on rulemaking and other programs that will assist with water reuse.

Public Comment: Rosa Durando, Audubon Society, (focusing on Wellington) commented about the utilities using reclaimed water instead of potable water.

Mr. Merriam explained the Water Availability Rule will force facilities to use reclaimed water.

There was discussion on golf courses using reclaimed water and innovative approaches to provide incentives to communities.

Mr. Collins asked about the status of year-round water conservation.

Ms. Wehle explained that the program will be kicked-off and brought to the Governing Board in October.

9. Water Conditions Report - Susan Sylvester, Department Director, Operations Control

Susan Sylvester, Department Director, Operations Control, provided a presentation on the water conditions.

Ms. Sylvester stated the month of August was the driest on record. Ms. Sylvester also reported on the water conditions for Lake Okeechobee, Lake Istokpoga, Fisheating Creek and the Water Conservation Areas. Ms. Sylvester stated the District is still taking advantage of low lake levels to clean up navigation routes and to assist the storm water treatment areas.

10. Lake Okeechobee Service Area Short Term Water Supply Options - Susan Sylvester, Department Director, Operations Control

Ms. Sylvester reported on the short term options including moving water from the Kissimmee Basin to Lake Okeechobee, moving water from STA1, install temporary pumps at S-155A to move water from East to West (move into small area of the EAA), hold some water in WCA2, hold water in Rotenberger and Holey Land Wildlife Management Area, Compartment C, and Fran Reich Preserve. She stated there are not a lot of options. The system is mature in terms of moving and storing water.

Mr. Collins asked if we are taking advantage of all gravity feeds. Ms. Sylvester explained that we are using the system for gravity flow but there is very little water.

Ms. Wehle clarified that S2 and S3 are not using gravity flow. There was discussion to not look at short-term fixes because the drought could be reoccurring every five or six years. There was discussion on the criteria that should be used for pumping and gravity flow.

Mr. Wade discussed agricultural conditions due to the drought and water quality for the S2 and S3. Gravity feeding gates into the lake from S2 and S3 is a separate decision than backpumping. Mr. Wade asked the Board to reconsider staff's interpretation of their intent of water not to flow based on gravity from S2 and S3.

Mr. Horne explained that the gate for flow is at ten feet and the discharge capacity is limited. We have never been in this situation. He stated we need to get the lake level to over ten feet to use the pumps for flood protection.

There was discussion on water naturally flowing into the lake from gravity versus the pumping.

Ms. Meeker requested information on gravity flow.

Mr. Dauray provided comment on gravity flow and the benchmarks to induce water into the lake.

Ms. Estenoz said there was not a discussion last month on gravity flow.

Ms. Wehle clarified last month's presentation to the Board by staff which was the operation of the S2, S3 and S4 structures and whether or not those structures were to be operated during the next few months for the purposes of increasing the volume of water in Lake Okeechobee for the purposes of water supply.

Mr. Horne said now that the pumps are removed there is the ability to gravity feed the water into the Lake.

Mr. Gutiérrez stated that we now have a new option on the table caused by these pumps being removed and he suggested the option be reviewed by the Governing Board.

There was discussion regarding the Judge's opinion on permits needed for backpumping and if the opinion applies to gravity flow.

Mr. Thornton requested staff bring back all the options tomorrow at the Governing Board meeting. There was a discussion on the need to develop triggers for drought conditions.

Public Comment: Barbara Miedema, representing Sugar Cane Growers Coop, stated support for gravity flow into Lake Okeechobee.

11. Overview of the Works of the District (WOD) Regulatory BMP Program and annual compliance update on the C-139 and EAA Basins - Pamela Wade Sievers, Division Director, Everglades Regulation

Pam Sievers, Division Director, Everglades Regulation, provided a presentation covering the Everglades Forever Act and the Everglades Construction Project including using BMPs and STAs to maintain phosphorus loads. Ms. Sievers explained the target test and limit test and the relationship to compliance for the C-139 and EAA Basins. Ms. Sievers reviewed the historical EAA Basin performance.

Mr. Wade discussed the BMPs and improvements in the C-139 Basin.

Everglades Restoration Resources

- 12. Everglades Restoration Update** - Tommy Strowd, Assistant Deputy Executive Director, Everglades Restoration Resources; Tom Teets, Program Implementation Manager, Everglades Restoration Resources

Tommy Strowd, Assistant Deputy Executive Director, Everglades Restoration Resources, provided a presentation and update to the Governing Board on Northern Everglades.

Tom Teets reviewed the schedule and the status for the projects.

- 13. Plan 6 Flowway Concept** - John Arthur Marshall, President, Arthur R. Marshall Foundation

Mr. John A. Marshall provided a presentation to the Governing Board on Flow-way Concept also known as Plan 6. Mr. Marshall explained that the flow-way would be a swath of land approximately 10 miles in width between the Miami and North New River Canals running from Lake Okeechobee south through the agricultural lands into WCA 3A with gravity flow. Mr. Marshall discussed the cost-benefit ratio for the Flow-Way Concept.

Mr. Collins explained that there is no consensus on the Flow-way Concept but there is consensus on the CERP projects which has gone through a detailed review process. There was discussion on modeling.

Ms. Estenoz stated she was open to looking at research about Flow-way Concept in the future.

Mr. Wade stated that flow-way and more storage in the EAA may be a viable option for the future but is not feasible now.

Mr. Buermann stated that Mr. Marshall's presentation was informational for new Governing Board members. There was discussion on financial concerns for land acquisition, technical implementation of the concept, and that the project does not alleviate discharges to the estuaries.

Public Comment:

Rosa Durando, representing Audubon Society, stated support for the Flow-Way Concept in order to support wildlife and restore the historical Everglades.

Ted Guy, representing Rivers Coalition, stated support of Plan 6 because the concept reflects the natural flow of the system.

Chuck Locke, representing Rivers Coalition and himself, stated support for Plan 6 and a desire to protect the estuaries.

Dr. Tom Poulson, representing Arthur R. Marshall Foundation, explained the advantages of Plan 6 for agriculture.

Joe Schweigart, representing himself, stated that he believes that the Flow-Way Concept needs to be studied further.

Ms. Estenoz requested the analysis on Plan 6.

Executive Office

16. Closed Door Session

Attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2006) to discuss strategy related to litigation expenditures in Friends of the Everglades, Inc. and Fishermen Against Destruction of the Environment, Inc. v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 02-80309-CV-Altonaga/Turnoff; Miccosukee Tribe of Indians of Florida v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 98-6056-CIV-Lenard/Klein; and Friends of the Everglades v. South Florida Water Management District, United States District Court, Southern District of Florida, Case No. 98-6057-CIV-Lenard/Klein. (Sheryl G. Wood, Ext. 6976)

Action Items (if any) Stemming from Closed Sessions

Attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2006) to discuss strategy related to litigation expenditures in Friends of the Everglades, Inc. and Fishermen Against Destruction of the Environment, Inc. v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 02-80309-CV-Altonaga/Turnoff; Miccosukee Tribe of Indians of Florida v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 98-6056-CIV-Lenard/Klein; and Friends of the Everglades v. South Florida Water Management District, United States District Court, Southern District of Florida, Case No. 98-6057-CIV-Lenard/Klein. (Sheryl G. Wood, Ext. 6976)

Chair Buermann announced that the Governing Board would adjourn to Closed Door Session at 4:33 pm. The meeting would reconvene in approximately 1 hour. Chair Buermann reconvened the meeting at 5:17 pm.

Ms. Wood stated that no action will be taken today.

17. Adjourn

Vice Chair Gutiérrez made a motion to adjourn the meeting, seconded by Melissa Meeker.

The meeting adjourned at 5:20 pm.

Motion made by Nicolás Gutiérrez, seconded by Melissa Meeker to Approve the following item(s): 17

Vote called. Voting yes: Nicolás Gutiérrez, Melissa Meeker, Eric Buermann, Michael Collins, Charles Dauray, Shannon Estenoz, Patrick Rooney, Harkley Thornton, Malcolm Wade. Motion passed.